



46

DKT. DB13NP; 30436.43USU1/SBA/HP

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

**Applicants** : Gary C. Starling and Joshua N. Finger  
**Serial No** : 09/745,605  
**Filed** : December 22, 2000  
**For** : NOVEL IMMUNOGLOBULIN SUPERFAMILY MEMBERS  
APEX-1, APEX-2 AND APEX-3 AND USES THEREOF

35 No. Arroyo Parkway  
Pasadena, California 91103  
May 24, 2001

Assistant Commissioner for Patents  
Washington, D.C. 20231  
Box Missing Parts

SIR:

**COMMUNICATION IN RESPONSE TO NOTICE TO FILE MISSING  
PARTS OF APPLICATION UNDER 37 C.F.R. §1.53 (b) AND PETITION FOR  
ONE-MONTH EXTENSION OF TIME**

This Communication is submitted in response to a Notice to File Missing Parts of Application under 37 C.F.R. §1.53 (b) issued in connection with the above-identified application on March 9, 2001.

In accordance with the Notice, the deadline for submitting the Declaration was May 9, 2001. Applicants hereby request a petition for one-month extension of time. The fee for one-month extension of time is \$110.00 for a large entity. A response is now due on June 9, 2001. Accordingly, this response is being timely filed.

06/01/2001 BNGUYEN1 00000018 09745605

02 FC:115

110.00 OP

U.S. Serial No. 09/745,605  
Filed: December 22, 2000  
Page 2

Applicants hereby submit their Declaration and Power of Attorney pursuant to 37 C.F.R. §1.53 (b) and in compliance with 37 C.F.R. §1.63 (attached as Exhibit 1). The Declaration refers to the application's above-identified serial number and filing date.

Additionally, applicants hereby submit Sequence Listing (attached as Exhibit 2), Declaration pursuant to 37 CFR §1.821f (attached as Exhibit 3) and Preliminary Amendment (attached as Exhibit 4).

The surcharge for responding to the Notice to File Missing Parts of Application under 37 C.F.R. §1.53 (b) is \$130.00. A check in the amount of \$240.00 is enclosed to cover the surcharge fee of \$130.00 and petition for one-month extension of time fee of \$110.00. Accordingly, applicants authorize the Patent Office to charge this amount to Deposit Account No. 50-0306.

Respectfully submitted,

*Sarah B. Adriano*

I hereby certify that this paper is being deposited this date with the U.S. Postal Service as first class mail addressed to: Assistant Commissioner for Patents Washington, D.C. 20231.

*[Signature]*  
Signature  
RICHELLE DOMINGO

5/24/01  
Date

Sarah B. Adriano  
Registration No. 34,470  
SaraLynn Mandel  
Registration No. 31, 853  
Attorneys for Applicants  
Mandel & Adriano  
35 No. Arroyo Parkway, Suite 60  
Pasadena, CA 91103  
626/395-7801



## UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, D.C. 20231  
www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/745,605	12/22/2000	Gary C. Starling	DB13NP

CONFIRMATION NO. 1201

23914  
MARLA J MATHIAS  
BRISTOL-MYERS SQUIBB COMPANY  
PATENT DEPARTMENT  
P O BOX 4000  
PRINCETON, NJ 08543-4000

## FORMALITIES LETTER



\*OC00000005847477\*

Date Mailed: 03/09/2001

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

06/01/2001 BNGUYEN1 00000018 09745605

01 FC:105

130.00 OP

FILED UNDER 37 CFR 1.53(b)

*Filing Date Granted*

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given TWO MONTHS from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

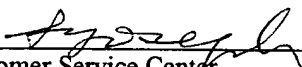
- The oath or declaration is missing.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- The balance due by applicant is \$ 130.
- This application does not contain a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). Applicant must provide such statement. If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000).
- A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 C.F.R. 1.821(e). If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000). Applicant must provide an initial computer readable form (CRF) copy of the "Sequence Listing" and a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If applicant desires the sequence listing in the instant application to be identical with that of another application on file in the Patent and Trademark Office, such request in accordance with 37 CFR 1.821(e) may be submitted in lieu of a new CRF.

For questions regarding compliance to these requirements, please contact:

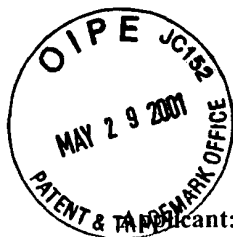
- For Rules Interpretation, call (703) 308-4216
- To Purchase PatentIn Softwar , call (703) 306-2600
- For PatentIn Software Program Help, call (703) 306-4119 or e-mail at patin21help@uspto.gov or patin3help@uspto.gov

---

*A copy of this notice MUST be returned with the reply.*

  
Customer Service Center  
Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE



N Sector \$  
Box 2eq

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Gary C. Starling and Joshua N. Finger  
Serial No.: 09/745,605  
Filed: December 22, 2000  
Docket: DB13NP; 30436.43USU1  
Title: NOVEL IMMUNOGLOBULIN SUPERFAMILY MEMBERS APEX-1, APEX-2 AND APEX-3 AND USES THEREOF

JE903 U.S. PRO  
09/745605



CERTIFICATE UNDER 37 CFR 1.8

I hereby certify that this paper or fee is being deposited with the United States Postal as first class mail in an envelope addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231 on May 24, 2001.

By: [Signature]  
Name: Richelle Ann Domingo

35 N. Arroyo Parkway, Suite 60  
Pasadena, California 91103  
May 24, 2001

BOX MISSING PARTS  
Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir:

We are transmitting herewith the attached:

- ☒ Transmittal sheet, in duplicate, containing Certificate under 37 CFR 1.8.
- ☒ Communication in Response to Notice to File Missing Parts of Application
- ☒ A copy of Notice to File Missing Parts of Application
- ☒ Exhibit 1: Original Combined Declaration and Power of Attorney signed by inventors (2 Declarations)
- ☒ Exhibit 2: Computer Readable Form and Paper Copy of Sequence Listing
- ☒ Exhibit 3: Declaration Pursuant to 37 CFR §1.821f
- ☒ Exhibit 4: Preliminary Amendment
- ☒ A check in the amount of \$240.00 is enclosed.
- ☒ Return postcard

Please charge any additional fees or credit overpayment to Deposit Account No. 50-0306. A duplicate of this sheet is enclosed.

**MANDEL & ADRIANO**  
35 No. Arroyo Parkway, Suite 60  
Pasadena, California 91103  
(626)395-7801

By: [Signature]  
Name: Sarah B. Adriano  
Reg. No.: 34,470  
Initials: SBA